IN THE HIGH C OURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.528 OF 2006

IN

SUMMARY SUIT NO.2241 OF 2006

Shri.Sunil S. Paradkar. ...Plaintiff.

vs.

Mr.Vivek Shetty. ...Defendant.

Mr.Y.R.Shah i/b. Ms.Harsha Y. Shah, for Plaintiff.

None for defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 17th January, 2007.

P.C.:-

1. The defendant has been served with the summons for judgment on 13.12.2006. The plaintiff undertakes to file affidavit of service within one week from today. The defendant has not filed any application for leave to defend within the period allowed by Order 37 of C.P.C. The matter has been called twice. The defendant did not appear. In the absence of any application filed for leave to defend within the period allowed by Order 37 of C.P.C., in terms of the

provisions of Order 37 of C.P.C. the plaintiff is entitled to a judgment. Heard the learned Counsel appearing for plaintiff. Perused the record. The summons for judgment is granted. Suit of the plaintiff is decreed in terms of prayer clause (a) and (b). Refund of court fees as per rules.